

FEB 05 2014

JULIA C. DUDLEY, CLERK

BY: 
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

This Social Security appeal by the plaintiff was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) for review and for the preparation of a report setting forth his proposed findings and recommendations concerning its proper disposition. The Magistrate Judge has filed a report and has recommended denying the plaintiff's motion for summary judgment and granting the Commissioner's motion for summary judgment. The plaintiff has objected to the report. The case is now before the court.

The court has reviewed the Magistrate Judge's report, the objections to that report, and pertinent portions of the administrative record, and concludes that the Magistrate Judge's report is substantially correct and, therefore, adopts that report.

Accordingly, it is **ORDERED** and **ADJUDGED** that the Report and Recommendation (Docket No. 17) is **ADOPTED**, the Commissioner's decision is **AFFIRMED**, the plaintiff's motion for summary judgment (Docket No. 11) is **DENIED**, the Commissioner's motion for summary judgment (Docket No. 14) is **GRANTED**, and this case is **STRICKEN** from the docket of the court.

ENTER: February 5, 2014.

UNITED STATES DISTRICT JUDGE